

ENTERED

November 19, 2019

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

v.

TOWER RESEARCH CAPITAL LLC,
Defendant.§
§
§
§
§
§

CRIMINAL NO.

19-819**ORDER TOLLING SPEEDY TRIAL ACT**

The joint motion of the United States and defendant Tower Research Capital LLC (“Tower”) for a continuance pursuant to 18 U.S.C. Section 3161(h)(2) is hereby granted. Pursuant to Title 18, United States Code, Section 3161(h)(2), and in light of the Deferred Prosecution Agreement (“DPA”) between defendant Tower and the United States, as represented by the Fraud Section of the United States Department of Justice’s Criminal Division and the United States Attorney’s Office for the Southern District of Texas, the prosecution and trial of the Information in this matter is hereby deferred until whichever of the following events occurs first:

1. The United States makes a final determination that Tower has made a willful, knowing, and material breach of the DPA, as defined therein; and the United States elects, consistent with the DPA, to prosecute Tower on the Information, in which event the United States will request that this case be returned to the Court’s calendar; or

2. In the sole reasonable discretion of the United States, the United States concludes that Tower is in full compliance with all of its obligations under the DPA, and the United States, within six months after the expiration of the Deferral Period (*i.e.*, three years from the filing date of the Information), files a motion with the Court seeking dismissal with prejudice of the Information.

The period of time outlined above shall be excluded in computing the time within which

an indictment must be filed or the time within which the trial of any such offense must commence, pursuant to 18 U.S.C. § 3161(h)(2).

SO ORDERED:

George C. Harbo

DATE: November 19th, 2019